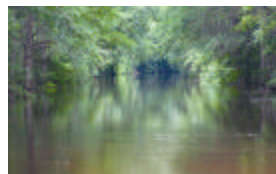




# Environmental, Safety and Health



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Industrial Hygienist  
Washington Savannah River Company

March 13, 2007

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# **Policy on Trade Secret / Proprietary Chemicals**

**Joint EFCOG / DOE  
Chemical Management Workshop**

# What Is The Issue?

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- Manufacturers often list “*trade secret*” or “*proprietary*” for constituents of products on it’s MSDSs
  - Meets 29CFR1910.1200
  - Information available in an emergency
- Complications
  - Exposure assessments
  - Epidemiology
  - Compensation programs
- How to answer the question “What was I exposed to?”

# How Complicated Could It Be?

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- Evaluation of & Protection from – the unknown
- Maintenance of confidentiality when the manufacturer does share “secrets”
- The “OOB” manufacturer when the question is posed by employee or contractors
- How to prove worker not affected by what’s not known

# Size Of Scope?

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- 38,348 MSDSs at Savannah River Site
- Resolution process initiated 10/2005
- 1,027 products identified “trade secret” as a constituent
- 819 of identified “TS” are currently in active use
- To date: 658 resolved
  - Ingredient declared non-hazardous
  - Revised MSDS provided
    - Reformulated
    - Leaves question of existing stock
  - Provided requested chemical information
- 13 are discontinued or company is OOB
- 5 refused to disclose (except for emergency)

# Why Even Worry About It?

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- The right thing to do
- Provides information useful in exposure assessments
- Increases assurance workers ARE protected
- Responsive to requests for information from former workers

# Products with Trade Secret Ingredients

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## SOME CONCERN

- Chemical additives
- Herbicides & pesticides
- Fire protection foam

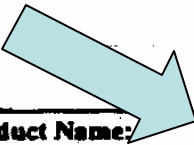


## LESS CONCERN

- Oils and greases
- Toner cartridges
- Pure water with pH buffer
- Automotive products
  - Fix-A-Flat

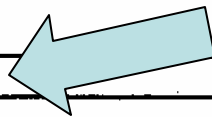
# Pure Water Buffer – Trade Secret ?

## ORION MATERIAL SAFETY DATA SHEET

### I. PRODUCT IDENTIFICATION

Product Name:  Pure Water™ Low Ionic Strength Buffer b pH 4.10	Catalog No. 700402	Effective Date 3/5/99
Hazardous Shipment Labeling:	DOT None	IATA None
Prepared By 	Title Quality Assurance Chemist	
Approved By 	Title Director Regulatory Matters	

### II. HAZARDOUS INGREDIENTS (IDENTIFY INFORMATION)

Hazardous Components * Specific Chemical Identity: Common Name(s)	CAS NO.	%	OSHA PEL	ACGIH TLV	LD <sub>50</sub> mg/Kg
Trade Secret 		<0.1			383 (ORL-MUS)
Trade Secret		0.10			None
Trade Secret		<0.01			2,600 (ORL-RAT)
**Deionized Water (H <sub>2</sub> O)	7732-18-5	<100	None	None	190,000 (IPR-MUS)



# The Foam Test

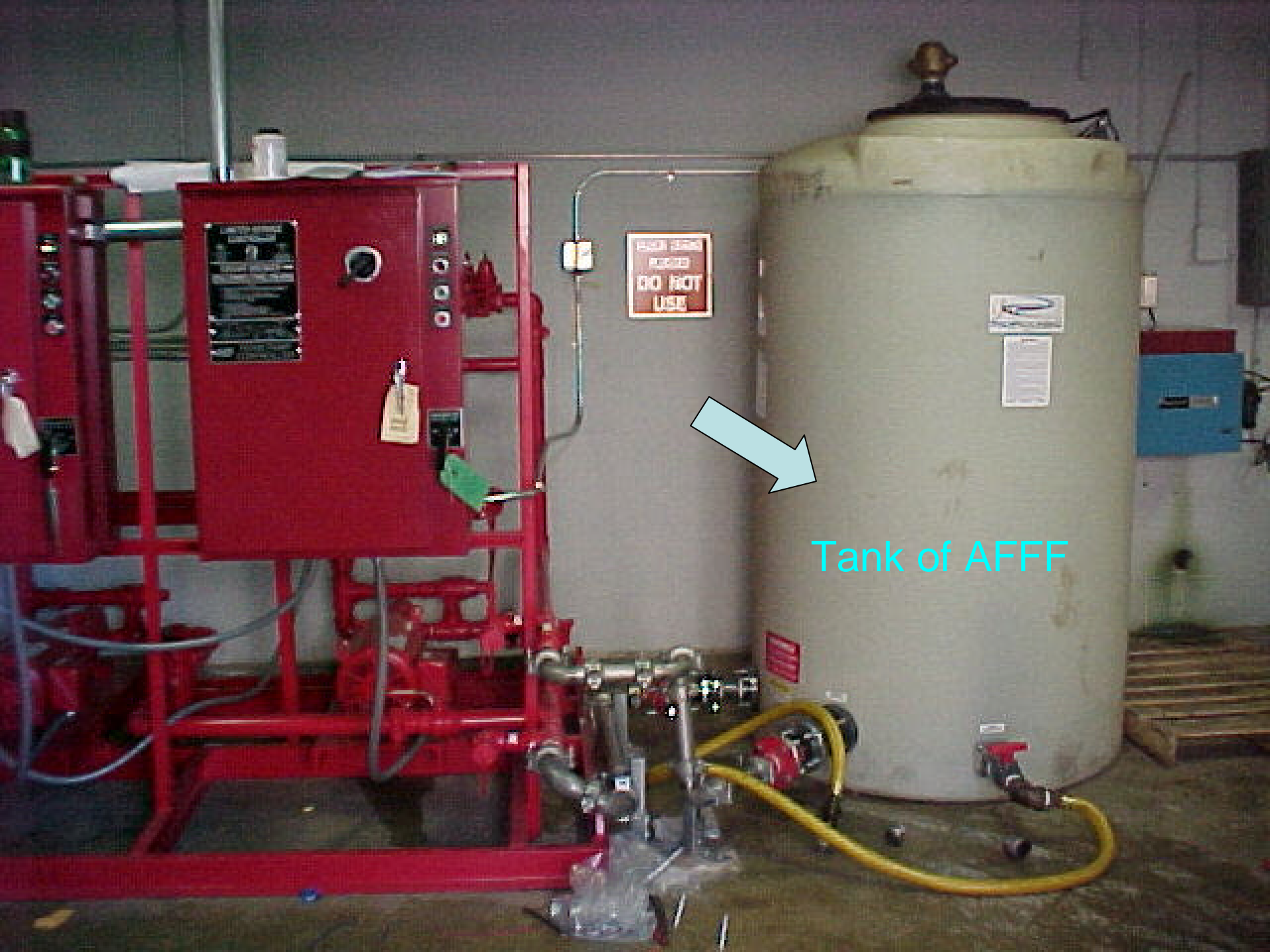
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- AFFF system test at Ellsworth AFB
- Suppose to last a few seconds
- Only, the system wouldn't shut off...
- Imagine trying to explain how it happened?
- Personnel exposure potentials?





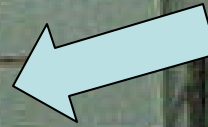
A huge space – cones to measure depth of coverage



FIRE HAZARD  
DO NOT  
USE

Tank of AFFF

Spectator Stand





Let the FOAM begin !

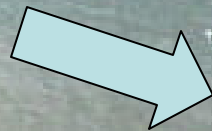




LOTS & LOTS







Moving to Higher Ground !

It can't get this high!?!?





Well, maybe it can!

Can someone open these doors?





Who's in charge of this?





Finally – the foam stopped !!!

Firefighter trying to open the doors





And not a moment too soon!





Anybody in there?



Glad they pulled the plug on this bathtub

Did you get all that on tape?





Foam, not snow

There was a truck parked here earlier





CAR WASH ----- FREE TODAY!!!



WHAT JUST HAPPENED TO US ???





What's that going down the drain???



# OOPS – That wasn't what we expected !

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- The last two slides asked:
  - What were we exposed to?
  - What went down the drain & to the environment?
- Unfortunately, those questions can't be answered definitively, because the AFFF product contains "TRADE SECRET" constituents

# Proposal

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- Consider establishing expectation that manufacturers provide full information
- Do not purchase unless no substitutes are available
- Impacts
  - May require a parallel MSDS tracking system
  - Institute program for maintaining confidentiality